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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,028	06/18/2001	Kazuo Yoshioka	2257-0188P-SP	8801

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EXAMINER

SCHNURR, JOHN R

ART UNIT	PAPER NUMBER
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2623

NOTIFICATION DATE	DELIVERY MODE
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12/07/2007

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

09/882,028

Applicant(s)

YOSHIOKA, KAZUO

Examiner

John R. Schnurr

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 7-12 and 14-16 is/are pending in the application.
- 4a) Of the above claim(s) 3-6 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 7-12 and 14-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date See Continuation Sheet.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :06/18/2001, 09/09/2003, 06/28/2005.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1, 7-12 and 14-16 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims **1, 7-12 and 14-16** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Maa (US Patent 5,818,935)** in view of **Furuya et al. (US Patent 7,177,424)** further in view of **Saito (US Patent 5,901,339)**.

Consider **claims 1, 12 and 14**, Maa clearly teaches a receiver comprising:

a receiving section for receiving a first communication signal through a first communication system (**Fig. 1: TV tuner 14 receives a video signal with an Internet information pointer encoded thereon, column 4 lines 19-24.**)

a transmitting and receiving section which requests a second communication signal containing release information and receiving the second communication signal through a second communication system, enabling bidirectional communication (**Fig. 1: Modem 26 requests a decryption key from an Internet website and receives a signal containing the decryption key, column 7 lines 26-30.**)

an operation section (**Fig. 1 IR receiver 28**)

the first communication signal contains transmission source information used to obtain the release information (**The Internet information pointer**

contained in the video signal provides a specific URL which is used to obtain the decryption key, column 7 lines 15-30.)

the receiver receives the second communication signal automatically using the transmission source information contained in the first signal. **(The obtaining of the decryption key is handled automatically by an integrated unit, column 7 lines 56-61.)**

However, Maa does not explicitly teach the first communication signal contains a plurality of contents with corresponding content identifiers, the first communication signal further including limitation information for a particular content, wherein the limitation information differs from the content identifier corresponding to the particular content.

In an analogous art, Furuya, which discloses a system for transmitting encrypted data, clearly teaches a plurality of contents with corresponding content identifiers, the first communication signal further including limitation information for a particular content, wherein the limitation information differs from the content identifier corresponding to the particular content. **(The broadcast signal includes a program identifier and a program key used for decryption, column 10 line 57 to column 11 line 5.)**

Therefore, at the time the invention was made, it would have been obvious to one with ordinary skill in the art to modify the system of Maa by including a plurality of contents with corresponding content identifiers, the first communication signal further including limitation information for a particular content, wherein the limitation information differs from the content identifier corresponding to the particular content, as taught by Furuya, for the benefit of providing security via an encryption key (column 1 lines 24-30 Furuya).

Maa further teaches normally displaying the content only when the decryption key is provided. However, Maa combined with Furuya does not explicitly teach matching the limitation and release information in order to determine whether or not to display the content when the user designates the content identifier for the particular content.

In an analogous art Saito, which discloses a system for displaying video content, clearly teaches providing limitation information encoded within a video signal to a first communication system. **(Fig. 5: A program number is provided with the video signal being received by the receiving device, column 7 lines 26-28.)** The limitation information is then compared to the release information and displayed if a match is found or not displayed if a match is not found. **(Fig. 5: The program number received with the video signal, limitation, is compared**

to the decode data and program number received via the data communication device, release, if a match is found the video is displayed, column 7 lines 35-45.) The user designates the content identifier for the particular content. **(column 3 lines 23-26)**

Therefore, at the time the invention was made, it would have been obvious to one with ordinary skill in the art to modify the system of Maa and Furuya by providing limitation information with the video signal and comparing the limitation and release information to determine whether or not to display the video, as taught by Saito, for the benefit of providing users with premium broadcast channels without the need for a contract (see column 1 lines 56-65 Saito).

Consider **claims 7 and 15**, Maa, Furuya and Saito, combined as in claims 1 and 14, clearly teach multiplexing with the content the limitation information **(Program number are combined with the program, column 7 lines 26-28 Saito.)** and the source information **(Internet information is encoded into the video signal, column 4 lines 19-24.)**

Consider **claim 8**, Maa, Furuya and Saito, combined as in claim 1, clearly teach the output section indicating that communication is being carried out through the second communication system upon request and receipt of said second communication signal. **(The processing unit generates a display of the activities of the web browser, column 4 line 61-63 Maa.)**

Consider **claim 9**, Maa, Furuya and Saito, combined as in claim 1, clearly teach the contents include video data. **(Column 4 lines 19-37 Maa)**

Consider **claim 10**, Maa, Furuya and Saito, combined as in claim 1, clearly teach the contents include music data. **(Column 15 lines 1-2 Maa)**

Consider **claim 11**, Maa, Furuya and Saito, combined as in claim 1, clearly teach the contents include program data. **(Column 15 lines 13-19 Maa)**

Consider **claim 16**, Maa, Furuya and Saito, combined as in claim 12, clearly teach the distribution of said release information is executed in response to a predetermined request. **(Fig. 1: Modem 26 requests a decryption key from an Internet website and receives a signal containing the decryption key, column 7 lines 26-30 Maa.)**

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John R. Schnurr whose telephone number is (571) 270-1458. The examiner can normally be reached on Monday - Friday, 7:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number:
09/882,028
Art Unit: 2623

Page 6

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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